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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

BODYGUARD PRODUCTIONS, INC.,
ET AL.,

Plaintiffs,

vs.

RCN TELECOM SERVICES OF
MASSACHUSETTS, LLC and RCN
TELECOM SERVICES, LLC,

Defendants.

Civil Action No. 3:21-cv-15310-RK-TJB

**NOTICE OF DEFENDANTS'
MOTION TO STRIKE PURSUANT
TO FED. R. CIV. P. 12(f)**

**Return Date: February 20, 2024
Oral Argument Requested**

TO: ALL COUNSEL IN THE CAPTIONED MATTER:

PLEASE TAKE NOTICE that on February 20, 2024, or as soon thereafter as counsel may be heard, the undersigned attorneys for Defendants RCN Telecom Services of Massachusetts, LLC and RCN Telecom Services, LLC (collectively, “RCN” or “Defendants”) will move this Court at the United States District Court for the District of New Jersey, 402 E State St Office Room 2020, Trenton, NJ

08608, for entry of an Order granting Defendants' Motion to Strike Plaintiffs' Second Amended Complaint pursuant to Fed. R. Civ. P. 12(f) and directing Plaintiffs to refile their Second Amended Complaint consistent with the Court's December 6, 2023 Memorandum Opinion and Order.

PLEASE TAKE FURTHER NOTICE that, for purposes of this Motion, Defendants will rely upon the accompanying brief filed and served herewith; and

PLEASE TAKE FURTHER NOTICE that Defendants request oral arguments regarding the Motion; and

PLEASE TAKE FURTHER NOTICE that a proposed Order is annexed hereto pursuant to L. Civ. R. 7.1(e).

Dated: January 18, 2024

Respectfully submitted,

By: Edward F. Behm, Jr.

Edward F. Behm, Jr.

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***Attorneys for Defendants RCN
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LLC and RCN Telecom Services,
LLC***

CERTIFICATE OF SERVICE

I hereby certify that on this 18th day of January, 2024, I caused a copy of the foregoing to be served upon all counsel of record via ECF notification.

By: /s/ Edward F. Behm, Jr.
Edward F. Behm, Jr.